

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RONALD L. BASKETT,) Case No. C06-1525-JLR-MJB
Petitioner,)
v.)
KENNETH QUINN,) ORDER
Respondent.)

This matter comes before the court upon Petitioner Ronald Baskett's motion for certificate of appealability, which is contained in Mr. Baskett's notice of appeal (Dkt. # 22).

A certificate of appealability may issue only if the “applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). The certificate must also “indicate which specific issue or issues satisfy [that test].” 28 U.S.C. § 2253(c)(3). An applicant makes a substantial showing if they demonstrate that their petition involves issues which are debatable among reasonable jurists, that a court could resolve the issues differently, or that the issues are adequate enough to deserve encouragement to proceed further. See Dawson v. Mahoney, 451 F.3d 550, 551 (9th Cir. 2006) (citing Slack v. McDaniel, 529 U.S. 473, 484 (2000)).

ORDER - 1

01 The court dismissed Mr. Baskett's petition for writ of habeas corpus on the basis
02 that he failed to exhaust state court remedies. Mr. Baskett's direct appeal is still
03 pending at the Washington State Supreme Court. Because Mr. Baskett has not
04 demonstrated that the resolution of his petition involves issues that are debatable among
05 reasonable jurists, his motion does not meet the standard for a certificate of
06 appealability.

07 For the foregoing reasons, the court DENIES Mr. Baskett's motion for
08 certificate of appealability (Dkt. # 22).

09 DATED this 5th day of April, 2007.



JAMES L. ROBART
United States District Judge